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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUG STUMPF,

Defendant.

Case no.: 2:19-cr-00133-APG-VCF

ORDER TO CONTINUE

MOTION HEARING

IT IS HEREBY STIPULATED AND AGREED by and between Nicholas A. Trutanich, United States Attorney, through Kevin D. Schiff, Assistant United States Attorney, and Defendant, Doug Stumpf by and through his counsel, Todd M. Leventhal, that the Hearing currently scheduled for April 17, 2020 be VACATED and set for a date and time convenient for the court but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons

1. Defendant, Doug Stumpf, is in custody and does not object to the continuance.
2. The parties agree to the continuance.
3. This is the First request for a continuance of the Motion Hearing.

- 1 4. The parties are engaged in negotiations which may alleviate the need for a trial. If
2 Defendant is agreeable, it would eliminated a need for a new attorney.
- 3 5. The additional time requested herein is not sought for purposes of delay, but merely to
4 allow time for the Court to issue a report and recommendation, the Court to rule on any
5 objections, and for the parties to decide how they will be proceeding after that ruling.
- 6 6. Additionally, denial of this request for continuance could result in a miscarriage of justice.
7 The additional time requested by this Stipulation is excludable in computing the time
8 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.
9 § 3161(h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv), as
10 well as § 3161(h)(1)(D).

11 DATED this 16th day of April, 2020

12 Respectfully submitted by: Todd M. Leventhal, Esq.

13
14 /s/ Todd M. Leventhal
TODD M. LEVENTHAL
15 Counsel for Defendant
Doug Stumpf

/s/ Kevin D. Schiff
KEVIN D. SCHIFF
Assistant U.S. Attorney

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**STIPULATION TO CONTINUE
MOTION HEARING**

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing, the Court finds that:

1. Defendant, Doug Stumpf, is in custody and does not object to the continuance.
2. The parties agree to the continuance.
3. This is the First request for a continuance of the Motion Hearing dates.
4. The parties are engaged in negotiations which may alleviate the need for a trial. If Defendant is agreeable, it would eliminated a need for a new attorney.
5. The additional time requested herein is not sought for purposes of delay, but merely to allow time for the Court to issue a report and recommendation, the Court to rule on any objections, and for the parties to decide how they will be proceeding after that ruling.

1 6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

2 The additional time requested by this Stipulation is excludable in computing the time
3 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.
4 § 3161(h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv), as
5 well as § 3161(h)(1)(D).

6 **CONCLUSIONS OF LAW**

7 The ends of justice served by granting said continuance outweigh the best interest of the
8 public and the defendants in a speedy trial, since the failure to grant said continuance would be
9 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
10 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
11 account the exercise of due diligence. The continuance sought herein is excusable under the
12 Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), when considering the factors under §
13 3161(h)(7)(B)(i) and (iv), as well as § 3161(h)(1)(D).

14 **ORDER**

15 IT IS HEREBY ORDERED that the Motion Hearing currently scheduled for April 17,
16 2020, at the hour of 1:00 p.m. be continued to May 22, 2020 at the hour of 1:00 pm
17 Las Vegas Courtroom 4B via video conference, counsel will receive separate invitation.

18 
19 UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of April, 2020 a true and correct copy of the,
STIPULATION AND ORDER TO CONTINUE MOTION HEARING was filed through the
CM/ECF filing system and was electronically served to the following registered addresses on file
for this instant case.

/s/ Todd M. Leventhal
TODD M. LEVENTHAL, ESQ.
LEVENTHAL & ASSOCIATES, PLLC.